

USSN: 07/728,428

Attorney Docket No. 89B010A/3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :

Jo Ann M. Canich

Serial No. 07/728,428

Filed July 11, 1991

For: Olefin Polymerization Catalysts

§ Before the Examiner

§ Roberto Rabago

§ Group Art Unit No. 1713

§ Attorney Docket Number 89B010A/3

§ Date: August 8, 2006

§

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Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

FIRST SUBMISSION UNDER 37 C.F.R. § 1.129

Sir:

This reply is submitted in response to the office action mailed March 8, 2006 and the advisory action dated August 4, 2006 under the transitional procedures established in 37 C.F.R. § 1.129. Section 129 provides, in pertinent part,

"...(a) An applicant in a application...that has been pending for at least two years as of June 8, 1995,...is entitled to have a first submission entered and considered on the merits after final rejection... if the first submission and the fee set forth in 37 CFR § 1.17(r) are filed prior to the filing of an appeal brief and prior to abandonment of the application. The finality of the final rejection is automatically withdrawn upon timely filing of the submission and payment of the fee under 37 CFR § 1.17(r)..."

The instant application was filed July 11, 1991 and was pending for more than two years as of June 8, 1995. Thus the provisions of 37 C.F.R. § 1.129 are applicable to the instant application. This document is the first submission. The commissioner is authorized to debit the fee required under 37 C.F.R. § 1.17(r) from deposit account number 05-1712. Under the provisions of 37 C.F.R. § 1.129 the finality of the office action dated March 8, 2006 must be withdrawn and the following submission must be entered and considered. Applicant respectfully requests reconsideration of the application in light of the following amendments and remarks.

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